

JUDGMENTS IN FAVOR OF WICHITA AND OTHER  
INDIANS.

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LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A COPY OF A COMMUNICATION FROM THE SECRETARY OF THE  
INTERIOR, SUBMITTING AN ESTIMATE OF APPROPRIATION FOR  
PAYMENT OF JUDGMENT IN FAVOR OF WICHITA AND OTHER  
INDIANS.

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JANUARY 8, 1902.—Referred to the Committee on Appropriations and ordered to be  
printed.

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TREASURY DEPARTMENT,  
OFFICE OF THE SECRETARY,  
*Washington, January 7, 1902.*

SIR: I have the honor to transmit herewith a communication from the Secretary of the Interior, dated January 4, 1902, relative to the necessity for an appropriation to provide payment under the decree of the Court of Claims of January 31, 1901, pursuant to a mandate of the Supreme Court of the United States, dated January 12, 1901, in cause No. 18932, *The Choctaw Nation and the Chickasaw Nation v. The United States and the Wichita and affiliated bands of Indians*, fixing the price per acre to be paid the Wichita and affiliated bands for certain lands which were ceded to the United States by an agreement ratified by act of Congress approved March 2, 1895 (28 Stat., p. 897).

The Secretary of the Interior shows that the sum necessary to pay the decree of the Court of Claims is \$99,514.56, and submits the following for the early and favorable action of Congress:

*Judgments, Court of Claims.*—To compensate the Wichita and affiliated bands of Indians for seventy-nine thousand six hundred and eleven and sixty-five one-hundredths acres of land, ceded by the said Indians to the United States by the first article of an agreement with said Indians, concluded the fourth day of June, eighteen hundred and ninety-one, and reserved for the use of the common schools, university, agricultural college, normal schools, and public buildings of the Territory and future State of Oklahoma, at the rate of one dollar and twenty-five cents per acre, in accordance with the decree of the Court of Claims passed January

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thirty-first, nineteen hundred and one, the sum of ninety-nine thousand five hundred and fourteen dollars and fifty-six cents, or so much thereof as may be necessary. *Provided*, That such amount of said sum, not to exceed fifteen thousand dollars, as the Secretary of the Interior may find due to Luther H. Pike, deceased, late delegate of said Indians, in accordance with his agreement with said Indians, shall be paid to the legal representatives of said Luther H. Pike, deceased.

A further provision should be made in the case, as follows:

*And provided further*, That settlement of the decree in this case shall be made by the Auditor for the Interior Department on the certificates of the Secretary of the Interior.

Copy of the decree of court in the case, with copy of certificate of mandate of the Supreme Court of the United States, may be found in Senate Doc. No. 191, Fifty-sixth Congress, second session, request for appropriation to pay the decree having been made during the last Congress but not provided for.

Respectfully,

L. J. GAGE, *Secretary*.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

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DEPARTMENT OF THE INTERIOR,  
*Washington, January 4, 1902.*

SIR: Under date of February 23, 1901, I had the honor to transmit to you a copy of a decree of the Court of Claims, rendered January 31, 1901, pursuant to a mandate of the Supreme Court of the United States, dated January 12, 1901, in cause No. 18932, The Choctaw Nation and the Chickasaw Nation, claimants, *v.* The United States and the Wichita and affiliated bands of Indians, defendants, fixing the price per acre to be paid the Wichitas and affiliated bands for certain lands described therein, which were ceded to the United States by an agreement ratified by an act of Congress approved March 2, 1895.

I also transmitted a copy of a report of the Commissioner of Indian Affairs, together with a draft of an item for insertion in the general deficiency bill providing for compensation to these Indians in accordance with said decree of the Court of Claims, in an amount of \$102,663.51, being for the payment for 82,138.81 acres of land, at \$1.25 per acre, or so much thereof as might be necessary, of which sum, not exceeding \$15,000, as might be found due Luther H. Pike, deceased, to be paid to the legal representatives of said Luther H. Pike, deceased.

This matter was, as shown by Senate Doc. No. 191, Fifty-sixth Congress, second session, on February 25, 1901, by you transmitted to the President of the Senate, and as no action was taken thereon, I have the honor to request that it again be brought to the attention of Congress, with the request, as the case has long been pending, that it receive early and favorable action.

You will please notice that in his letter of February 6, 1901, (Senate Doc. 191) the Commissioner of the General Land Office, in estimating the areas of sections 13, 16, 33, and 36 at 82,138.81 acres, stated that it was not practicable to report with any degree of definiteness the actual area reserved for which payment is required until after the allotments shall have been made to the Indians and the Territory shall have filed lists of indemnity selections for any loss occasioned by

allotments of lands in sections 13, 16, 33 and 36, and you are advised that the Commissioner of the General Land Office now reports that by corrections made in consequence of the reestablishment of the ninety-eighth meridian (the eastern boundary of the reservation), per survey approved July 24, 1901, the area to be paid for is 79,611.65 acres, instead of 82,138.81, which would require an appropriation of \$99,514.56, instead of \$102,663.51.

For the payment of this decree of the Court of Claims entered pursuant to a mandate of the Supreme Court of the United States, an appropriation of \$99,514.56, or so much thereof as may be necessary, is required, and of this amount, not to exceed \$15,000, as may be found due by the Secretary of the Interior, is payable to Luther H. Pike, deceased, late delegate of the Wichita and affiliated bands of Indians, in accordance with his agreement with said Indians, and in accordance with the decree of the court.

Very respectfully,

E. A. HITCHCOCK, *Secretary.*

The SECRETARY OF THE TREASURY.

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